

A REPLY
OF
MAJ.-GEN. WILLIAM B. FRANKLIN
TO THE
REPORT
OF THE
JOINT COMMITTEE OF CONGRESS
ON THE CONDUCT OF THE WAR, SUBMITTED TO THE PUBLIC
ON THE 6TH OF APRIL, 1863.
WITH A MAP.

NEW YORK:
D. VAN NOSTRAND, 192 BROADWAY.
1863.



M A P
Showing the positions
OF THE TROOPS FORMING
THE LEFT WING
of the
ARMY OF THE POTOMAC
under the Command of Major Genl **W. B. FRANKLIN**
in the
BATTLE OF FREDERICKSBURG

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Dec^r 13th 1862

Scale 20,000.

One Inch = One Mile



REFERENCES.
General Smith's and Army Corps.

Genl. Newton.

- 1 First position of General Newton's Division in reserve
- 2 Second position do do do
- 3 Third do do do

Genl. Brooks.

- 4 Position of Genl. Brooks' Division

Genl. Howe.

- 5 Position of General Howe's Division

General Reynolds' First Army Corps.

Genl. Mead.

- 6 First position of Genl. Mead's Division
- 7 Second do do do
- 8 Third do do do
- 9 Fourth position of Genl. Mead's Division

Genl. Gibbon.

- 10 First position of Genl. Gibbon's Div.
- 11 Second do do do
- 12 Third do do do
- 13 Fourth do do do

Genl. Doubleday.

- 14 First position of Genl. Doubleday's Div.
- 15 Second do do do

General Stoneman.

- 16 Position of Genl. Stoneman's Division when he relieved Genl. Mead
- 17 Position of Genl. Sickles' Division when he relieved Genl. Gibbon

Washington's Farm


FREDERICKSBURG

- a This is point of 26 Guns, under Captain Ayres, to cover the retreat as increasing with the Batteries on both sides of River for the same purpose
- b Line of Artillery and Rifles
- c Approximate position of Genl. Barry's Division on the right of Left Grand Division
- d Genl. Barry's position
- e Position of Capt. De Rome's Batteries

Clatsburg Hill

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REPLY OF MAJOR-GENERAL FRANKLIN.

ON the 6th day of April last a Report, purporting to be signed by the members of the Joint Committee on the Conduct of the War, was published in many of the leading papers in the United States.

The Thirty-seventh Congress expired, by constitutional limitation, on the 4th of March previous. Some of the testimony embodied in the Report has been taken since that time, and, consequently, this document has been spread before the country without having been submitted to either branch of Congress.

I do not refer to this irregular proceeding of a Committee which had ceased to have a legal existence as a defence against the charges of which they have convicted me, but as one of the facts fairly to be considered in connection with the Report itself, and the purposes it was intended to subserve.

The Committee have not devoted much space to me, either in citations of testimony or in statements of their own ; but in that limited space they have presented me before the country as responsible for the loss of the battle of Fredericksburg, in consequence of my disobedience of the orders of General Burnside.

If this be true, I have been guilty of the highest crime known

to the military law, for the commission of which my life is forfeit and my name consigned to infamy.

Justice to the Country, to the Administration which has given me important commands in its armies, and to myself, demands that I meet these grave allegations as promptly as possible; while, from the peculiar circumstances of the case, the mode I adopt is the only one open to me.

Since the publication of the Report, I have received an answer to an inquiry at the Adjutant-General's Office, informing me that there are no charges on file against me at the department to which, as a soldier, I am amenable. I am not at liberty to ignore a Report which has already reached the hands of a majority of the loyal people of the United States, emanating from a Committee of their Representatives in Congress, because the Legislative Department of the Government has taken upon itself duties that belong to the Executive. I cannot shut my eyes to the magnitude of the question in its immediate public aspect. If it affected only myself, I might be well contented with the verdict which history will pass upon the transaction, under the sacred law which governs the ultimate triumph of the truth.

For two years we have been struggling to subdue a rebellion so enormous in its proportions and so persistent in its purposes that it has become a revolution.

This Government has put into the field over seven hundred thousand men. To discipline these men, and to lead them in the field, the country must depend upon such as have been educated, to some extent at least, in military science. Hence it is a public question of the highest possible importance, whether an officer who has held important commands since the beginning of the war is entitled to the confidence of the people or has justly forfeited his claim to it. It is a sad commentary upon the disjointed condition of the times, that at the very

moment when the Nation is offering its blood and treasure without stint in the effort to preserve inviolate the principles of civil liberty, a citizen of that nation, however humble, shall be accused, tried, and condemned of an infamous crime, before a tribunal sitting in secret session, without notice, or even an intimation of the charges made against him ; without the opportunity to confront or examine the witnesses brought against him ; to be himself called and interrogated, in utter ignorance that he is under trial ; and, finally, to be denied permission to produce witnesses, when the fact became apparent to him that he was, for some unexplained reason, in danger of condemnation.

Since the time when the corner-stone of all civil liberty was laid under that Government from which we derive our laws, which gives to the meanest subject, or the greatest criminal, the right to meet his accusers face to face and to confront his witnesses, no parallel can be found, in the history of constitutional governments, so startling in its violations of all that is sacred in personal rights, as are the proceedings of the secret tribunals created by the Congress which has just expired.

The Report in question has been given to the press, but no part of the evidence is published, except such extracts as the Committee have seen fit to embody in the Report itself. Of my own testimony given before the Committee, but a small part is printed. I shall therefore submit to the public some facts, stated by me to the Committee, which they have not published, and some of the proofs which I requested the Committee to take, but which they declined upon the ground that they had not the time to take the testimony.

Among the facts submitted by me to the Committee which they have not noticed, are some which I must repeat in substance here :

On the 12th day of December last, when I crossed the Rappa-

hannock, I was in command of the Left Grand Division of the Army of the Potomac, which numbered about 40,000 men. It was entirely crossed and posted in line-of-battle by 3 o'clock of that day. My command consisted of two corps of three Divisions each. At 5 o'clock General Burnside came to my head-quarters, where he met—with me—Generals William F. Smith and John F. Reynolds, Corps Commanders. The subject of conversation was a proposed attack upon the enemy on the following morning, when I strongly advised General Burnside to make an attack from my Division upon the enemy's right, with a column of at least 30,000 men, to be sent in at daylight in the morning. At that time two Divisions of General Hooker's command were on the north side of the river, near the bridges that I had crossed. In order to make such an attack as I advised, I informed General Burnside that these two Divisions must be crossed during the night. I reiterated my request that I should receive my orders as early as possible, that I might make the necessary dispositions of the troops before daylight. He stated at one time that I should have my orders in any event before midnight, and at another, that I should have them in two or three hours. He left my head-quarters about 6 o'clock p. m., and I awaited his orders during the night. None reached me until 7½ o'clock in the morning. At midnight I sent an aide to ask for them, and received the reply that they were being prepared and would be sent forthwith. The order which I received was brought by General Hardie, of General Burnside's staff, well known in the service as an able and zealous officer. It reached my hands at 7h. 30m. on the morning of the 13th. My command was then in the same position as when General Burnside left my head-quarters the evening previous. The night had passed without orders, and General Hooker's two Divisions were still on the other side of the river. With the light fur-

nished by this state of facts, General Burnside's order, though incongruous and contradictory on its face, admitted of but one interpretation, viz., that he intended to make an armed observation from the left, to ascertain the strength of the enemy,—an interpretation also given to it by both of my Corps Commanders. The order is as follows:

“HEAD-QUARTERS ARMY OF POTOMAC,

“December 13th, 5.55 A. M.

“MAJ.-GEN. FRANKLIN,

“*Commanding Left Grand Division, Army of Potomac:*

“General Hardie will carry this dispatch to you and remain with you during the day. The General commanding directs that you keep *your whole command in position* for a rapid movement down the Old Richmond road; and you will send out *at once a division at least*, to pass below Smithfield, to seize, if possible, the heights near Captain Hamilton's, on this side of the Massaponax, taking care to keep it well supported, *and its line of retreat open*. He has ordered another column of a division or more to be moved from General Sumner's command up the Plank road to its intersection with the telegraph road, where they will divide, with a view to seizing the heights on both of those roads. Holding these heights, with the heights near Captain Hamilton's, will, he hopes, compel the enemy to evacuate the whole ridge between these points.

“He makes these moves by columns distant from each other, with the view of avoiding the possibility of a collision of our own forces, which might occur in a general movement during the fog. Two of General Hooker's divisions are in your rear, at the bridges, and will remain there as supports. Copies of instructions given to Generals Sumner and Hooker will be forwarded to you by an orderly very soon. *You will keep your whole command in readiness to move at once as soon as the fog*

lifts. The watchword which, if possible, should be given to every company will be '*Scott.*'

"I have the honor to be, General,

"Very respectfully, your obedient servant,

"JOHN G. PARKE, *Chief of Staff.*"

Thus it will be seen that after ordering me to keep my *whole command* in readiness for a rapid movement down the Old Richmond road, I was directed to send out at once a *division at least* to seize the hill at Hamilton's. After referring to the order to General Sumner, he *reiterates the direction to keep my whole command in readiness for the Richmond road movement.*

For three hours before the order reached me I was satisfied that General Burnside had given up the idea (if he ever entertained it) of making an attack in force from the left, for the delay in sending the orders made such an attack impossible with any reasonable chance of success. And in this connection it is not improper in me to state that a map, made by the rebel General Jackson's topographical engineer, has fallen into the hands of our officers since General Hooker has been in command, from which it is apparent that the enemy's position could not have been carried by any force less than that recommended by me on the afternoon of the 12th.

General Burnside knew the strength in numbers and position, as well as the desperate determination of the Rebel Army. Had he intended a movement in force, his orders both to myself and General Sumner would have been commensurate with such a purpose. Had he expected me to make such an attack upon an enemy whom I had met too often to be guilty of the folly of underrating, he would have given me the night in which to make a disposition of my troops for the conflict of the morrow, instead of leaving me to pass it in sleepless anxiety in my tent.

General Burnside ought to have known, and, doubtless, did

know, that to make his "main attack," and thereby bring on a general engagement on my front, under an order of this description, sent after daylight in the morning, was to send his troops to a useless and unavailable slaughter; and, therefore, he could not have intended it. I acted upon the order at once, as nearly according to its literal directions as was in my power. The attack was ordered to be led by General Meade, one of the ablest officers in our service, supported by General Gibbon on his right, and General Doubleday in reserve. These three divisions formed one of the two corps (General Reynolds's) under my command on the south side of the river. Shortly after Meade advanced, the enemy's cavalry appeared on the left, accompanied by artillery, and Doubleday was ordered to drive them away. Soon after these troops were advanced, finding that the enemy was in force on all sides, I sent to General Stoneman to cross with one of his divisions, and before that had entirely crossed his second division was also ordered over. The crossing of these divisions (which should have been made during the previous night, had an attack in force been contemplated) occupied at least three hours. While this was going on, one of General Smith's divisions was also ordered to report to General Reynolds. Of these several movements General Burnside was kept informed, by reports made by General Hardie to him at intervals during the day; and between 7.40 A. M. and 3.40 P. M. it was reported to him, by an officer of his own staff, that out of the eight divisions composing my entire command, including the two divisions that had been ordered across the river, six divisions had been employed in making the effort to seize Hamilton's hill, keeping the attacking force supported, and in checking the advance of the enemy, while but two divisions were left to protect the bridges, the right and the centre, and to keep the line of retreat open, and which two divisions were actually attacked during the day.

After my testimony had been taken by the Committee, and they had declined to call General Hardie as a witness, I asked permission to hand them copies of the reports made by him to General Burnside during the day. This request was granted; and although it is impossible to overstate the value of the testimony contained in these dispatches, fourteen in number, sent from the field of battle by an officer of the staff of General Burnside, who could have had no motive at the time to state any thing but the exact truth, as the events were transpiring under his own eyes, yet no mention of or reference to these dispatches is made by the Committee in their Report. As they present a statement of the transactions of the day upon the left, as seen by a competent and impartial witness, I present them in full, in the order in which they were sent. It will be noticed that the first dispatch is dated at 7.40 A. M. This dispatch is as follows, viz.:

“HEAD-QUARTERS, FRANKLIN’S GRAND DIVISION.

“December 13, 7.40 A. M.

“GENERAL BURNSIDE:

“General Meade’s Division is to make the movement from our left; but it is reported that the enemy’s skirmishers are advancing, indicating an attack upon our position on the left.

“JAS. A. HARDIE,

“*Brig.-Gen. Vols. Asst. Insp.-Genl.*”

The telegraph station connecting with General Burnside’s head-quarters was about one-third of a mile from my head-quarters, so that by eight o’clock of that morning General Burnside was informed by his Assistant Inspector-General of the fact that I had sent General Meade’s Division to make the movement directed by him. I submit, with entire confidence, that had General Burnside, upon the receipt of General

Hardie's first dispatch, discovered that I had either misapprehended his order, or was sending too small a force to its execution, he would at the moment have corrected my misapprehension.

So far from that, General Burnside did not communicate with me in any manner from that time until 2.25 p. m. of that day, when he sent me an order in writing, in which it was stated that my *instructions of this morning were so far modified as to require an advance upon the heights immediately in my front*. General Hardie's dispatch upon the receipt of this order is as follows :

“ HEAD-QUARTERS, LEFT GRAND DIVISION,

“ December 13, 2.25 P. M.

“ GENERAL BURNSIDE :

“ Dispatch received. Franklin will do his best. New troops gone in ; will report soon again.

“ JAS. A. HARDIE,

“ *Brig.-Genl. Vols.*”

Later in the day, and after three o'clock, when every regiment that I could spare was engaged in various parts of the field (as will appear by referring to Hardie's reports, and General Burnside's own testimony hereafter given), with an enemy that greatly outnumbered us, and when all my energies were directed to save the wing from being overpowered, and its line of retreat cut off, I received a verbal message from General Burnside, by one of his staff, that General Sumner's troops were being hard pressed, with a request to make a diversion in his favor if I could. To this I also responded that I would do my best.

For the details of what was done by me during the day, I leave General Hardie's dispatches to speak for themselves.

He was at my side from shortly after sunrise until sunset. He not only knew of every order and movement made by me, or under my direction, but was a perfectly competent judge of their wisdom and sufficiency.

In the performance of an act of common justice he has placed these dispatches at my disposal.*

The following are copies of all those sent by him on the 13th of December, the day of the battle:

HEAD-QUARTERS, FRANKLIN'S GRAND DIVISION,

December 13, 7.40 A. M.

GENERAL BURNSIDE:

General Meade's Division is to make the movement from our left; but it is just reported that the enemy's skirmishers are advancing, indicating an attack upon our position on the left.

9 o'clock A. M.

General Meade just moved out. Doubleday supports him. Meade's skirmishers engaged, however, at once with enemy's skirmishers. Battery opening, on Meade probably, from position on Old Richmond road.

11 o'clock A. M.

Meade advanced half a mile, and holds on. Infantry of enemy in woods in front of extreme left, also in front of Howe. No loss so far of great importance. General Vinton badly but not dangerously wounded.

Later.—*Reynolds has been forced to develop his whole line. An attack of some force of enemy's troops on our left seems probable, as far as can now be judged. Stoneman has been directed to cross one division to support our left. Report of*

* In addition to the forces referred to in these dispatches, a division from General Wilcox's Corps reported to me late in the afternoon, and was put in the vicinity of the bridges; too late, however, to aid in any of the operations on the extreme left.

cavalry pickets from the other side of the river, that enemy's troops were moving down the river on this side during the latter part of the night. Howe's pickets reported movements in their front, same direction. Still they have a strong force well posted, with batteries there.

12 o'clock M.

Birney's Division is now getting into position. That done, Reynolds will order Meade to advance. Batteries over the river are to shell the enemy's position in the woods in front of Reynolds's left. He thinks the effect will be to protect Meade's advance. A column of the enemy's infantry is passing along the crest of the hills from right to left, as we look at it.

12.5 P. M.

General Meade's line is advancing in the direction you prescribed this morning.

1 o'clock P. M.

Enemy opened a battery on Reynolds, enfilading Meade. Reynolds has opened all his batteries on it, no report yet. Reynolds hotly engaged at this moment; will report in a few moments again.

1.15 o'clock P. M.

Heavy engagements of infantry. Enemy in force where battery is. Meade is assaulting the hill; will report in a few minutes again.

1.25 o'clock P. M.

Meade is in the woods in his front, seems to be able to hold on. Reynolds will push Gibbon in, if necessary. The battery and woods referred to, must be near Hamilton's house. The infantry firing is prolonged and quite heavy. Things look well enough. Men in fine spirits.

1.40 o'clock P. M.

Meade having carried a portion of the enemy's position in the woods, we have 300 prisoners. Enemy's battery on ex-

treme left retired. Tough work; men fight well. Gibbon has advanced to Meade's right, men fight well, driving the enemy. Meade has suffered severely. Doubleday to Meade's left not engaged.

2½ o'clock P. M.

Gibbon and Meade driven back from the woods. Newton gone forward. Jackson's corps of the enemy attacks on the left. General Gibbon slightly wounded. General Bayard mortally wounded by a shell. Things do not look as well on Reynolds's front, still we'll have new troops in soon.

2.25 P. M.

Dispatch received. Franklin will do his best. New troops gone in—will report soon again.

3 o'clock P. M.

Reynolds seems to be holding his own. Things look better somewhat.

3.40 o'clock P. M.

Gibbon's and Meade's Divisions are badly used up, and I fear another advance on the enemy on our left cannot be made this afternoon. Doubleday's Division will replace Meade's as soon as it can be collected, and if it be done in time, of course another attack will be made. The enemy are in force in the woods on our left towards Hamilton's, and are threatening the safety of that portion of our line. They seem to have detached a portion of their force to our front, where Howe and Brooks are now engaged. Brooks has some prisoners, and is down to the railroad. Just as soon as the left is safe, our forces here will be prepared for a front attack, but it may be too late this afternoon. Indeed, we are engaged in front anyhow. Notwithstanding the unpleasant items I relate, the *morale* generally of the troops is good.

4½ o'clock P. M.

The enemy is still in force on our left and front. An attack

on our batteries in front has been repulsed. A new attack has just opened on our left, but the left is safe, though it is too late to advance either to the left or front.

I am willing to abide by this testimony, to determine whether I lost the battle of Fredericksburg in consequence of my disobedience of an order directing me "to attack with a division at least, and to keep it well supported."

On the night following I was with General Burnside at his head-quarters, when he informed me that he intended to renew the attack from the right and to lead the Ninth Corps in person. At two interviews during that night (which lasted at least two hours), he did not intimate to me any disapprobation of my conduct, or of that of my officers and men, during that day.

Again I urged upon him that if the attack was to be renewed to renew it from the left, but with such force and preparations as would command success. An order, however, for an attack from the right was given by him. On the following day I had another interview with General Burnside, at his request, in which he informed me that strong protests were made against a renewal of the attack by Generals Sumner and Hooker, and he abandoned the plan of another attack with expressions of the greatest reluctance. I was with him for two or three hours on that occasion; and during that interview he did not express or intimate, in his language or deportment towards me, that he was not entirely satisfied with my conduct, and that of my officers and men. On the Wednesday or Thursday following I had another interview with him, in which, so far from expressing any dissatisfaction with me, he stated very distinctly, that I alone of his Generals had "held up his hands" (as he expressed it); that he had fully determined to resign his command, and to recommend me as his successor, as the Commanding General of the Army of the Potomac. From that time until I was relieved

from the command of the Left Grand Division, although frequently called into consultation by General Burnside, he never told me, or gave me to understand, that I had either misconstrued or disobeyed his orders, or was in any way responsible for the disaster of the 13th, or had in the least lost his confidence. Indeed, had he believed that I had disobeyed his orders on the 13th, he could not have discharged his duty to the country without preferring charges against me to that effect.

It was during the period of time last referred to that the General Order No. 8, to which the Committee have made reference in their Report, was directed to be issued by General Burnside. The Committee state that this order dismissed some officers from the service, subject to the approval of the President, and relieved others from duty with the Army of the Potomac; that General Burnside asked the President to sanction the order, or accept his resignation as Major-General; *that the President acknowledged that General Burnside was right*, but declined to decide without consulting with some of his advisers. As I was relieved from duty with the Army of the Potomac almost immediately after this interview with the President, I shall assume that I was one of the officers thus relieved in the order; an assumption I could not make from any evidence derived from General Burnside's conduct to me when we were together, but which I am compelled to make, because I have been so informed by two gentlemen of high character who have seen and read the order.

It further appears from the Report, that the Committee had that order before them; and as they have seen fit to visit upon me solely the responsibility for the loss of the battle of Fredericksburg, without referring in any manner to the repulse on the right, or stating its fearful loss in killed and wounded, I feel at liberty to state, on the authority of these same gentlemen who have seen order No. 8, *that under that order Gen-*

eral Hooker was one of the officers dismissed from service, subject to the approval of the President. If, therefore, that order is invoked as a record of conviction, and, by it, General Hooker is dismissed while I am only relieved, I have the right to state the fact, and leave the public to judge of the motives of the Committee—in stating that they have not considered it essential to report upon the operations of the right wing in this battle. Not only so, but I have the right to challenge the verity of the statement “that the President acknowledged General Burnside was right,” when it was known to the Committee that in the same order in which the President relieved General Burnside from the command of the Army of the Potomac, he made General Hooker his successor.

But I shall not accept it as conclusive against my conduct, that General Burnside did recommend that I should be relieved. It is a part of the history of the times that after the failure of his attempt upon the Rebel Army behind the heights of Fredericksburg, he addressed a letter to General Halleck relieving the Secretary of War and the General-in-Chief from all responsibility for that movement; and it is equally true, though not so publicly known, that shortly after that letter was published, General Burnside made quite as formal and earnest a request to the President to remove the Secretary of War and the General-in-Chief from the positions severally occupied by them, as he did to dismiss certain of his officers in the Army of the Potomac. If it was true that the movement was his own, it was but an act of common justice to assume its responsibility.

Without intending to reflect upon that kind of magnanimity that takes the responsibility of a failure from the shoulders of those above us, and places it upon those below us, I will prove by documentary evidence from General Burnside's hand, that his plan as given to the Committee, was not the plan on which he conducted the operations of the battle.

The Committee have printed General Burnside's plan of attack as given by him. By the side of this, I print an extract from the letter of General Burnside to General Halleck, dated December 19th, six days after the battle, by which it appears that he intended to make his "vigorous attack," as he there calls it, over two miles from my front and upon the heights in the rear of the town of Fredericksburg, and that part of his order to me in which he informed me of the orders which he had given to General Sumner, showing that General Sumner's movement was to be simultaneous with mine. In this he states the measures taken to avoid a collision between General Sumner's forces and mine, while in the plan before the Committee he is represented as testifying that he did not mean that General Sumner should move *until I had taken the position designated in the order.*

General Burnside's plan of attack, as given by the Committee.

"The enemy had cut a road along in the rear of the line of heights where we made our attack, by means of which they connected the two wings of their army, and avoided a long detour around through a bad country. I obtained from a colored man, from the other side of the town, information in regard to this new road, which proved to be correct. I wanted to obtain possession of that new road, and that was my reason for making an attack on the extreme left. I did not intend to make the attack on the right until that position had been taken, which I supposed would stagger the enemy, cutting their line in two; and then I proposed to make a direct attack on their front and drive them out of their works."

General Burnside's plan of attack in his letter to General Halleck.

"I discovered that he did not anticipate the crossing of our whole force at Fredericksburg, and I hoped, by rapidly throwing the whole command over at that place to separate, by a *vigorous attack*, the forces of the enemy on the river below from the forces *behind and on the crest in the rear of the town*, in which case we could fight him with great advantage in our favor. For this we had to gain a height on the *extreme right* of the crest which commanded a new road lately made by the enemy,"

&c.

Extract from General Burnside's order to me, informing me of General Sumner's orders.

“He has ordered another column of a division or more to be moved from General Sumner's command up the plank road to its intersection of the telegraph road, where they will divide, with a view to seizing the heights on both of those roads. Holding these heights, with the heights near Captain Hamilton's, will, I hope, compel the enemy to evacuate the whole ridge between these points. He makes these moves by columns, distant from each other, with a view of avoiding the possibility of a collision of our own forces, which might occur in a general movement during the fog.”

The statements in General Burnside's letter to General Halleck, his statement in the order of the 13th to me, and his statement of his plan before the Committee, all agree upon one point at least—that he did not mean to make his “*main attack*” under either of those orders. Under the orders he issued he designed seizing, first, the heights in rear of the town; next, the heights near Captain Hamilton's, which he supposed would stagger the enemy; and then, he proposed to make a “*direct attack*” in the enemy's front, and drive him out of his works. The orders not only agree in this, but the fact, in all the significant proportions of its results, in killed and wounded, was before the Committee, that General Sumner's command did actually move to seize “those heights on the crest in rear of the town,” almost as soon as I did at that time. I had not only not taken the position at Captain Hamilton's, but was crossing troops from the other side of the river to save those who had been sent to make the attempt. General Burnside was informed of all this by General Hardie as

the effort progressed. How then is it to be accounted for that General Burnside could have so far forgotten his intentions as to say, "*that he did not intend MAKING the attack on the right until that position (my position) had been taken?*" If he did not intend to do so, why did he make the attack before the contingency happened? He knew that the position on the left was *not* taken; why then did he order General Sumner forward if his intention was to keep him back until it was taken? If he did not intend that General Sumner should move until I had taken the heights at Captain Hamilton's, what does this language in his order to me mean: "he has ordered another column of a *division or more* to be moved from General Sumner's command up the plank road to its intersection with the telegraph road, where they will divide with a view of seizing the heights on both of those roads. *Holding these heights with the heights near Captain Hamilton's* will, he hopes, &c. He makes these moves by columns distant from each other with a view of *avoiding the possibility of a collision of our own forces*, which might occur in a general movement during the fog."

This is the language of a simultaneous movement; and that no doubt may be left about it, he gives as a reason why he keeps the moving columns distant from each other, that they might not encounter each other in a fog. If both columns were not to be moved at the same time, it is difficult to see how they could have collided in a fog.

It is, therefore, perfectly evident that under both orders issued that morning by General Burnside, he imagined that he could seize certain heights over two miles distant from each other, with the comparatively small force of a Division sufficiently supported, for each column, and that when these were taken, he expected to follow up by orders for a main attack with the "whole command," which I was to keep in "position for a

rapid movement down the old Richmond road." In the execution of these orders, the enemy discovered himself in force so much greater than General Burnside anticipated, that the plan proved totally inadequate to its expected results.

The disaster which followed is a matter of history, and considering the pressure to which the mind of the Commanding General must have been subjected since that time, it is not difficult to find a reason why his present recollection of his plan differs so materially from the orders which he gave before the movement was made, but I submit that is an insufficient reason for visiting the consequences of the failure upon his subordinates in command.

After reciting the order, the Committee state that when last before them, I considered the meaning of the order to be an armed observation to ascertain where the enemy was. They then proceed as follows:—"In his (Franklin's) testimony given when your Committee were at Falmouth, he says: 'I put in all the troops that I thought it prudent and proper to put in. I fought the whole strength of my command as far as I could, and at the same time keep my connection with the river open.'"

These two statements seem to be presented under the idea that they convict me of an inconsistency, and in the Report furnished by the Committee to one of the newspapers, printed in pamphlet form, entitled "Tribune War Tract, No. 1," this statement of the Committee is headed in capital letters, "Franklin's inconsistent statements." What inconsistency is there between my interpretation of the second clause of the order that it was for an armed observation to ascertain where the enemy was, and in the statement that in sending in this armed force of observation I *had* ascertained where the enemy was, and had been compelled to fight the whole strength of my command as far as I could, and at the same time keep my communication with the river open, in resisting a superior

force, which had discovered itself on three sides of me? But the Committee in quoting my testimony, for some reason satisfactory to themselves, have omitted to state what was testified by me in the same connection.

By referring to the testimony given by me at Falmouth (which has heretofore been made public), I find that the words immediately following the quotation made by the Committee in their present Report are as follows:—"The reason that we failed was that we had not troops enough to carry the points where the attack was made, *under the orders that were given.*" Why the Committee have omitted that part of my evidence, while from the quotation marks the reader is led to suppose the whole sentence is given, I shall not stop to inquire.

The next statement in the Report refers to the number of troops with which the attack was made by me, under the orders to send out "a Division at least," to seize the heights near Captain Hamilton's, and that is headed in the Tract in the same conspicuous manner, "Franklin responsible for the defeat."

The Committee's statement on this subject occupies but a few lines, and admits the sending out by me, under this order, of four divisions, numbering 16,500 men, as stated by them, without giving the number of Doubleday's Division, which was nearly 7,000 more. The Committee name only Meade's, Gibbon's, Doubleday's and Birney's Divisions, as those by which the attack was made and supported. They had it in proof, and in General Hardie's reports, that Newton's and Sickles' Divisions also aided in that movement, while the divisions of Howe and Brooks also engaged the enemy during the day. However easy of explanation it may be that the employment of Newton's Division was not referred to in the report, it is difficult to understand why Sickles' Division should be omitted, when the only evidence they have published on this subject discloses the fact that Sickles' Division was also engaged.

The Committee further say, "that the attack was in reality made by one of the smallest divisions in my command, the division of General Meade, numbering about 4,500 men." They have omitted to state in that connection what was in evidence before them, that Meade's Division was posted on the extreme left of my line, and the order being to attack at once, was consequently best posted for the attack. The Army of the Potomac had no braver soldier or better officer than General Meade, to lead his division to the attack.

The Committee next say, that "General Burnside, upon hearing of the small force ordered to attack the enemy, sent an order to General Franklin to make a vigorous attack with his whole force." The Committee do not state when General Burnside sent to me any order after that received at 7.30 A. M.; but if the ordinary construction is to be put upon their language, they intend to be understood that a second order was sent to me immediately after the receipt of General Hardie's first dispatch to General Burnside, dated at 7.40 A. M., in which he was informed of what I proposed to do under the order. As before observed, this dispatch must have been received by General Burnside by 8 o'clock A. M. So that, according to the report, General Burnside sent me a second order to make a "vigorous attack with my whole force," shortly after 8 o'clock A. M. By referring to General Hardie's reports, it will be seen that the first dispatch from General Burnside, after that brought by him, is dated 2.25 P. M., in which he states—

"December 13, 2.25 P. M.

"Dispatch received. Franklin will do his best. New troops gone in. Will report soon again."

This order, so far from being an order to make a "vigorous attack with my whole force," directed me as follows:

"Your instructions of this morning, are so far modified as to

require *an advance upon the heights immediately in your front.*"

The response made to this modification of the order is shown by General Hardie's dispatch to his chief just given.

The Committee then proceed: "Several of the witnesses testified, that had the attack then been renewed with all the available force under General Franklin's command, it would have been successful." Who these witnesses are is not stated, nor is a word of their testimony given. If any one upon whose opinion the public would place any reliance has been found to express such an opinion, it has been given in ignorance of the orders under which I was acting during the day, or upon the assumption that such an order as the Committee state I did receive, was issued to me in the early part of the day. I have shown that no such order was issued, and that the second order that was issued was received at 2.25 P. M. In connection with this modified order it is necessary to state, that immediately in front of one of my divisions was a narrow valley, held on both sides by the enemy, and protected by abattis, and troops entering it were necessarily subjected to a fire from both sides. It is patent from an examination of this last order, that so far from being an order to renew the attack upon the hill at Captain Hamilton's, it was a virtual abandonment of that attempt. I was not allowed the opportunity to examine those witnesses, nor to produce those I named to the Committee, who were with me during the day, and who alone were sufficiently acquainted with all the facts to form a respectable opinion on the subject.

But whatever opinions may have been expressed before the Committee by witnesses, whose names they have not given, the same Committee submitted a Report to the Senate on the 23d day of December last, containing the evidence taken by them on the 19th of that month, in which the testimony of General

Burnside, taken immediately after the battle, is given. This has been printed by order of the Senate. From this document I make the following extract (referring to the battle of Fredericksburg) :

Q. by Committee.—“What causes do you assign for the failure of your attack here?”

A. “It was found to be impossible to get the men up to the works; the enemy’s fire was too hot for them; the whole command fought most gallantly; the enemy themselves say they never saw our men fight so hard as on that day.”

Q. “Were the enemy’s works very strong?”

A. “Their works are not strong works, but they occupy very strong positions. It is possible that the points of attack were wrongly ordered; if such is the case I can only say I did to the best of my ability.”

* * * * *

Q. “Do I understand you to say that you expected General Franklin to carry the point at the extreme left of the ridge in the rear of the town, and thereby enable our troops to storm and carry their fortifications?”

A. “I did expect him to carry that point, which being done would have placed our forces in rear of their extreme left, and which I thought at the time would shake their forces to such an extent that the position in front could be easily stormed and carried.”

Q. “*To what do you attribute his failure to accomplish that?*”

A. “*To the great strength of the position and the accumulation of the enemy’s forces there.*”

General Burnside then explained, that the delay in building the bridges gave the enemy time to accumulate his forces before he was able to order the attack.

* * * * *

Q. "What was the conduct of the officers and men during the attack?"

A. "With the exception of a single regiment it was excellent."

Q. "Will you state as nearly as you can, the whole number of our troops that were engaged?"

A. "We had about 100,000 men on the other side of the river."

Q. "What part of that number were actually engaged in battle?"

A. "Every single man of them was under artillery fire, and about half of them were at different times formed in columns of attack. *Every man was put in column that could be got in.*"

With this evidence of the General commanding the Army before them, a Committee of Congress, in a Report submitted to the public without the testimony, deliberately states:

"*The testimony of all the witnesses before your Committee proves most conclusively that had the attack been made upon the left with all the force that General Franklin could have used for that purpose, the plan of General Burnside would have been completely successful, and our Army would have achieved a most brilliant victory.*"

The Committee continue (still referring to the order which they say was to make a "vigorous attack with my whole force," and was sent by General Burnside upon his hearing of the small force which I had ordered to the attack), "General Franklin testifies that it was not an order but a request, and that when he received it, it was too late to renew the attack, and therefore he did not do it. General Franklin testifies as follows." The Committee then proceed to give an extract from

a small portion of my testimony, *in which not a word of my testimony on the subject of this request is given.* My statement to them on that subject was substantially that after 3 o'clock of that day, according to my best recollection, an aide from General Burnside came to me with the message that the enemy was pressing General Sumner on the right, and that I was requested to make a diversion in his favor if I could. I again replied that I would do the best I could. About the time that this message came, viz. : at 3.40 P. M., as will be seen by referring to General Hardie's reports, that officer informed General Burnside as follows :

“Gibbon's and Meade's Divisions are badly used up, and I fear another advance on the enemy on our left cannot be made this afternoon. Doubleday's Division will replace Meade's as soon as it can be collected, and if it be done in time, of course another attack will be made. The enemy are in force in the woods on our left towards Hamilton's, and are threatening the safety of that portion of our line. They seem to have detached a portion of their force to our front, where Howe and Brooks are now engaged. Brooks has some prisoners, and is down to the Railroad. Just as soon as the left is safe our forces here will be prepared for a front attack. But it may be too late this afternoon. Indeed we are engaged in front anyhow. Notwithstanding the unpleasant items I relate, the *morale* generally of the troops is good.”

Keeping in mind the fact that the Divisions of Howe and Brooks, which General Hardie reported to General Burnside were then actually engaged, were the two divisions upon which I had to rely to protect my right, centre, and bridges, and that every other division of my command was at that moment already in support of the left, and that this dispatch of General Hardie's was a piece of the evidence before a Committee, supposed to be in search of the truth in regard to a sub-

ject of such magnitude as the loss of the Battle of Fredericksburg, it seems incredible that the next paragraph of their Report following the extract from my testimony which they have given is the one already quoted, that—

“The testimony of *all the witnesses* before your Committee proves most conclusively that had the attack been made upon the left with all the force that General Franklin could have used for that purpose, the plan of General Burnside would have been completely successful, and our army would have achieved a most brilliant victory.”

This sweeping statement is made without giving a word of testimony in support of the conclusion, or the name of a witness. I am necessarily in ignorance of what has been testified to by others before the Committee, but I know that General Burnside and myself were at least two of “all the witnesses,” and that he, when he was first examined, testified to the contrary of any such statement. I know that General Hardie’s words, written from the battle-field to his chief, were in evidence, and that the facts shown by these witnesses, prove the conclusions of this Committee to be as unfounded as they are unmerited.

Standing, as I do, thus arraigned and condemned by the Committee, I have no fear that my countrymen will adopt their verdict until I have been heard in my own behalf. They have thus far inhaled with the air they breathe that vital principle of fair play that hears before it condemns. As a people, they have no purpose to serve in striking down a public servant, unless he has proved to be unfaithful to his trust, and to their sense of justice I appeal, though the circumstances attending my accusation compel me to add to my statement a few words personal to myself.

My profession is that of arms. I was educated to it as a

pupil of the nation. My duty and inclination leading in the same path, with the feeling that stirred the nation's pulse when its flag was torn down by parricidal hands, I dedicated my life and whatever was enwrappt within my life, to the defence of my country. I did not underrate the proportions of the rebellion, and I accepted my line of duty with the conviction that the nation would require of its loyal children determined purpose, and, perhaps, great sacrifices, before its unity would be restored. With these convictions, I took command of a brigade in the Army of the Potomac in June, 1861. From that time until I was relieved from duty with the Army of the Potomac, on the 25th day of January, 1863, I have been trying to do my duty in camp and upon the field. That I have not altogether failed, the brave men who have grown up with me have proved on the battle-fields of Virginia and Maryland; and it is but common justice to those of them who yet live, and to the memory of those who are dead, to say that they never failed me in the time of trial. My time has been passed with my command. Including a period of illness, I have been absent from it but twenty-one days. This has left me but little time to look after matters personal to myself. Having no political associations of influence, I must content myself as best I can with the reflection that the Committee believed that the failure at Fredericksburg demanded a victim, and that being of no consequence except as a soldier, it was most available to order me to that duty.

I have had no friendships which have stood in the way of the performance of my duty.

When General Burnside took command of the Army of the Potomac, and up to the time he left it, I gave a hearty obedience to every order he gave me, as well as a full and frank expression of my opinion when he invited me to his councils. I supposed that we were attached friends, and that we were

both looking only to those means which would achieve success. I agreed with him fully in the propriety of crossing the Rapahannock at Fredericksburg at the time proposed by his original plan. After that failed, whatever advice I gave to him in council sprang from the honest convictions of my judgment, and I should have been recreant to my duty to my country and my own conscience had I given him any other. When the crossing was determined upon, with what alacrity I obeyed the order, the time within which my troops were crossed and placed in line of battle is the best evidence. This done and our troops posted on the enemy's side of the river, with nothing but frail pontoon bridges between them and their destruction as an army, I proposed that an assault should be made upon the enemy's position with a column strong enough to command success (naming the number of at least six divisions), with the request that I might be allowed to make immediate dispositions to carry it out. After waiting through the night, I was ordered to take a particular height with one division, and to keep my whole command in readiness for some contemplated movement. In obeying this order according to its letter and spirit, a force of the enemy upon my left, my right, and my centre, discovered itself, sufficient to engage during the day every division in my command. Our failure was the natural consequence of the insufficient preparation and inadequate provision for an attack upon an army like that in front of us. This being the state of the facts, so far as I am concerned, without a hearing or the opportunity of defence, a Report from the Legislative Branch of the Government has been spread through the newspapers and in pamphlets before my countrymen, stating that had I obeyed the orders given me by General Burnside on that day, our army would have achieved a most brilliant victory. Instead of a brilliant victory, it was a sad and fearful disaster, in which many brave

men fell—men to whom I was attached by two years' association, and for this disaster, and for the blood of these comrades, this Committee say I am responsible.

I place these facts by the side of their Report, perfectly willing to abide by the verdict which the public will pass upon me.

WM. B. FRANKLIN.

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